

REMARKS

In compliance with 35 C.F.R. 116 (b)(1), all amendments herein are being made to either cancel claims or comply with any requirement of form expressly set forth in a previous Office action.

Claim Changes

Claims 1 and 11 have been amended to incorporate the subject matter of claims 41 and 52.

Claim 31 have been amended to incorporate the subject matter of claim 41. Claim 41 is canceled.

Claim 42 has been amended to incorporate the subject matter of claim 52. Claim 52 is canceled.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Acknowledgement of Allowable Subject Matter

Applicant acknowledges the allowability of claims 41 and 52 once amended to be rewritten in independent form including all of the limitations of the base claim and any

intervening claims. Applicant has amended the independent claims 1, 11, 31 and 42 to incorporate the allowable subject matter of claims 41 and 52, respectively.

Voluntary Amendment to the Specification

Applicant has voluntarily amended paragraph [0003] of the specification to update the status of referenced patent applications. No new matter is added with this amendment.

Rejection of Claims 1-20, 31-40 and 42-51 under 35 U.S.C. § 102(b) as being anticipated by US. 6,108,710 (Brabson)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1-20, 31-40 and 42-51 under 35 U.S.C. § 102(b) as being anticipated by Brabson as herein amended.

Applicant has carefully reviewed the present application and the cited art and has amended independent claims 1, 11, 31 and 42 to clarify the claimed invention. In particular, independent claims 1 and 11 have been amended to recite “assigning credits to the routing strategy data and the one or more alternative routing strategies, selecting a revised routing strategy by comparing the assigned credits when the selected routing path differs from the routing strategy data.” Similarly, independent claims 31 and 42 have been amended to incorporate the allowable subject matter of claims 41 and 52, respectively, to recite “assigning credits to each of the routing strategy and the one or more alternative routing strategies and selecting a revised data packet route by comparing the assigned credits.”

Applicant submits that claims 1 and 11, as amended, include the limitation of allowable subject matter from claims 41 and 52. Further, claims 31 and 42, as amended, incorporate the subject matter of claims 41 and 52 which claims have been indicated as being allowable in the office action. Therefore, Applicant respectfully submits that claims 1, 11, 31 and 42 are in proper

condition for allowance and requests that claims 1, 11, 31 and 42 may now be passed to allowance.

Dependent claims 2-10, 12-20, 32-40 and 43-51 depend from, and include all the limitations of independent claim 1, 11, 31 and 42, respectively, which claims are shown to be allowable for the reasons given above. Therefore, Applicant respectfully submits that dependent claims 2-10, 12-20, 32-40 and 43-51 are in proper condition for allowance and requests that claims 2-10, 12-20, 32-40 and 43-51 may now be passed to allowance.

Rejection of Claims 1-20, 31-40 and 42-51 under 35 U.S.C. § 102(b) as being anticipated by US. 5,506,838 (Flanagan)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1-20, 31-40 and 42-51 under 35 U.S.C. § 102(b) as being anticipated by Flanagan as herein amended.

Applicant has carefully reviewed the present application and the cited art and has amended independent claims 1, 11, 31 and 42 to clarify the claimed invention. In particular, independent claims 1 and 11 have been amended to recite “assigning credits to the routing strategy data and the one or more alternative routing strategies, selecting a revised routing strategy by comparing the assigned credits when the selected routing path differs from the routing strategy data.” Similarly, independent claims 31 and 42 have been amended to incorporate the allowable subject matter of canceled claims 41 and 52, respectively, to recite “assigning credits to each of the routing strategy and the one or more alternative routing strategies and selecting a revised data packet route by comparing the assigned credits.”

Applicant submits that claims 1 and 11, as amended, include the limitation of allowable subject matter from claims 41 and 52. Further, claims 31 and 42, as amended, incorporates the subject matter of canceled claims 41 and 52 which claims have been indicated as being allowable in the office action. Therefore, Applicant respectfully submits that claims 1, 11, 31 and 42 are in

proper condition for allowance and requests that claims 1, 11, 31 and 42 may now be passed to allowance.

Dependent claims 2-10, 12-20, 32-40 and 43-51 depend from, and include all the limitations of independent claim 1, 11, 31 and 42, respectively, which claims are shown to be allowable for the reasons given above. Therefore, Applicant respectfully submits that dependent claims 2-10, 12-20, 32-40 and 43-51 are in proper condition for allowance and requests that claims 2-10, 12-20, 32-40 and 43-51 may now be passed to allowance.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

July 20, 2007

Motorola, Inc.
8000 West Sunrise Boulevard
Law Department – MD1610
Plantation, Florida 33322
Customer Number: 24273

By: /Randi L. Karpinia/
Randi L. Karpinia
Attorney of Record
Reg. No.: 46,148
Tel: 954-723-6449
Fax: 954-723-3871
E-mail: docketing.florida@motorola.com